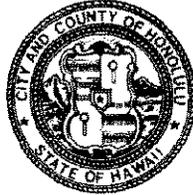


OCT 3 9 30 AM '08

MUFI HANNEMANN
MAYOR



HENRY ENG. FAICP
DIRECTOR

RECEIVED DAVID K. TANOUE
DEPUTY DIRECTOR

October 1, 2008

The Honorable Ann H. Kobayashi, Chair
and Members of the Executive Matters Committee
Honolulu City Council
530 South King Street, Room 202
Honolulu, Hawaii 96813

Dear Chair Kobayashi and Councilmembers:

Subject: Bill 10, Proposed CD-2 – Relating to Transit Orient Development

We note that some of our concerns, with regard to earlier drafts of Proposed CD-2, have been addressed and we appreciate the consideration.

There continue to be a number of concerns and issues related to the current Council draft of CD-2. They are:

1. The bill's provisions are to be placed in Chapter 13 rather than Chapter 21. TOD looks like, works like, and in fact, is a zoning matter which properly belongs in the LUO.
2. The proposed new TOD districts appear to be de facto zoning regulations. As such, CD-2 provides for Planning Commission timetables for plan review, which are in conflict with provisions of the Charter in Section 6-1513. This finding was, in effect, affirmed by DPP's COR representative, as well as the Council's COR representative. In addition, CD-2 is silent as to Planning Commission's role in developing district standards.
3. Additional observations and recommendations are:
 - a. Administration's bill proposes a sub-section (b) that dictates that the "planning process be inclusive, open to residents, businesses, landowners, community organizations, government agencies, and others." CD-2 does add a new sentence at the end of the first paragraph that refers to a community-based process and pedestrian and bicycle-friendly designs, but feedback from the community requested specific stakeholders be named in the bill to make sure all major groups are invited.

Recommendation: Re-insert sub-section (b).

- b. CD-2 drops requirement that plans address implementation of recommendations, including new financing mechanisms. This appears to narrow the scope of TOD planning only to zoning controls, rather than looking also at needed CIP improvements, financial incentives, and other mechanisms to encourage good TOD.

RECEIVED
2008 OCT -2 P 2:27
CITY COUNCIL
HONOLULU, HAWAII

Recommendation: Re-insert sub-section (a) (5), as zoning controls cannot be solely responsible for successful TOD.

- c. CD-2 drops requirement that neighborhood TOD plans be consistent with any applicable special area plan or community master plan, or make recommendations for revisions to these plans.

Recommendation: Re-insert sub-section (e), as by its deletion, sends a wrong message about the validity of neighborhood plans, which are called out by the Primary Urban Center Development Plan.

- d. CD-2 drops requirement that plans be consistent with any applicable special area plan or community master plan, or make recommendations for revisions to these plans.

Recommendation: Re-insert sub-section (e), as by its deletion, sends a wrong message about the validity of neighborhood plans, which are called out by the Primary Urban Center Development Plan.

- e. CD-2 drops: "Design controls that require human-scale architectural elements at the ground and lower levels of buildings." Is there an implied preference to a different architectural direction?

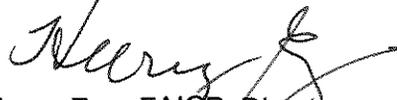
Recommendation: Unless there is a specific concern or alternative design preference, re-insert sub-section (g).

- f. CD-2 adds new provision, "Hotels may be permitted." We do not see any justification for calling attention to this particular use, and is better addressed at the general plan and development plan levels.

Recommendation: Delete sub-section (h).

Thank you for your consideration of our views.

Very truly yours,



Henry Eng, FAICP, Director
Department of Planning and Permitting

HE:jfk

APPROVED:



Wayne M. Hashiro, P. E.
Managing Director